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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/069,470	06/27/2002	Johan Peter Eilander	0702-020319	3373

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EXAMINER

FUREMAN, JARED

ART UNIT	PAPER NUMBER
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2876

DATE MAILED: 10/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Applicati n No.</b>	<b>Applicant(s)</b>	
	10/069,470	EILANDER ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Jared J. Fureman	2876	

-- Th **MAILING DATE** of this communication app ars on the cov r sheet with the correspond nc address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 23-43 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 23-43 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 June 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____.  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>9</u> . | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

Receipt is acknowledged of the preliminary amendment, filed on 2/25/2002, and the IDS, filed on 9/11/2002, both of which have been entered in the file. Claims 23-43 are pending.

#### ***Claim Objections***

1. Claims 23-28, 30, 32, 34-36, 38-40, 42 and 43 are objected to because of the following informalities:

Claim 23:

Line 5, --admission-- should be inserted before "codes", and "the" (second occurrence) should be replaced with --an--, in order to clarify the claim.

Line 6, "a" (first occurrence) should be replaced with -- an admission--, in order to clarify the claim.

Claims 24, 25, and 26, line 1: --admission-- should be inserted before "code", in order to clarify the claim.

Claim 27, line 2: "the" should be replaced with --an--, in order to avoid a lack of proper antecedent basis for "the Internet".

Claim 28, line 1: "the" (third occurrence) should be replaced with --a--, in order to avoid a lack of proper antecedent basis for "the set".

Claim 30:

Line 1, --admission-- should be inserted before "code" in order to clarify the claim.

Line 2, "the" (first occurrence) should be replaced with --an--, in order to avoid a lack of proper antecedent basis for "the admission computer".

Claim 32:

Line 2, "the" (first occurrence) should be replaced with --an--, in order to avoid a lack of proper antecedent basis for "the admission computer".

Line 3, --admission-- should be inserted before "code", in order to clarify the claim.

Line 4, "the" (first occurrence) should be replaced with --a--, and --admission-- should be inserted before "computer", in order to clarify the claim.

Claim 34, line 1: "the" (first occurrence) should be replaced with --an--, in order to avoid a lack of proper antecedent basis for "the issuing computer".

Claim 35, line 1: "said" should be replaced with --a--, in order to avoid a lack of proper antecedent basis for "said routine".

Claim 36, line 4: "the" should be replaced with --a--, in order to avoid a lack of proper antecedent basis for "the moment".

Claim 38:

Line 2, the phrase "for example" renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d). For examination purposes, the phrase "for example, the serial number", as recited in claim 38 lines 2-3, has not been given any patentable weight.

Line 3, "the" should be replaced with --an--, in order to avoid a lack of proper antecedent basis for "the admission computer".

Claim 39:

Line 3, --admission-- should be inserted before "code", in order to clarify the claim.

Line 4, --admission-- should be inserted before "codes", in order to clarify the claim.

Claim 40:

Line 3, --admission-- should be inserted before "code", and "the" (second occurrence) should be replaced with --a--, in order to clarify the claim.

Line 4, --admission-- should be inserted before "computer", in order to clarify the claim.

Claim 42:

Line 2, "the" should be replaced with --an--, in order to avoid a lack of proper antecedent basis for "the admission code".

Line 4, --admission-- should be inserted before the second occurrence of "codes", in order to clarify the claim.

Claim 43:

Line 3, "the" (first occurrence) should be replaced with --an--, and "the" (second occurrence) should be replaced with --a--, in order to avoid a lack of proper antecedent basis for "the inverse" and "the logic", respectively.

Line 4, "the" should be replaced with --a--, in order to avoid a lack of proper antecedent basis for "the moment".

Lines 4-5, "admission code according to claim 40" should be deleted, since the reference to claim 40 is improper, because it does not require all the limitations of claim 40 and claim 39, but merely requires the admission code according to claim 40.

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 23-28 and 30-43 are rejected under 35 U.S.C. 102(e) as being anticipated by Kay (US 6,223,166 B1).

Kay teaches a method for granting admission to an event, an admission control system for granting admission to an event, and an issuing computer intended for granting admission to an event, wherein an admission code (ticket information) is issued to a consumer (represented by user station 12) via a distribution channel (information network 16), which admission code is in accordance with a predetermined format and which forms part of a set of admission codes (all of the tickets for the event), which set of admission codes forms a predetermined pseudo-random subset of all admission codes having the predetermined format (the coding of the ticket information produces a pseudo-random code), wherein it is checked at an entrance (not shown) to the event

whether an admission code presented by a consumer is part of the set of admission codes (step 419, of figure 4, for example); wherein the admission code is placed on a carrier (ticket 31) after receipt by the consumer; wherein said admission code is placed on said carrier by means of a printer (19); wherein said admission code comprises a bar code (33); wherein said distribution channel comprises an Internet (see column 3, lines 29-30); wherein the event is a bus journey (see column 6, line 3); wherein the presented admission code is input into an admission computer (host system 45) at the entrance to the event by means of an input apparatus (portable terminal 27); wherein said input apparatus is an optical scanner (37); wherein the check at the entrance is carried out by an admission computer, which carries out a logic operation (decoding using the asymmetric key) on the presented admission code, the result of which logic operation is compared with a predetermined set of results (valid ticket information) stored in a memory of the admission computer; wherein said result comprises an identification of a serial number (ticket number); wherein an issuing computer processes can selectively carry out the comparison between the result and the set of predetermined results on part of the result; wherein a routine for the logic operation is changed periodically (the asymmetric key may be changed on a daily basis, see column 5 lines 56-58); wherein the admission code is determined upon being issued by an issuing computer (server 14) by retrieving a result from said predetermined set of results and to subject said result to the inverse of the logic operation (coding/decoding) that will be used at a moment of admission; wherein the issuing computer processes a result into an admission code only once; wherein at least one characteristic part of the presented admission code

and/or the associated result is stored in a memory of an admission computer, and said admission code is then excluded from admission (the decoded ticket information is transmitted to the host computer to check for duplicate tickets) (see 1-4, column 2 line 16 - column 6 line 3).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kay in view of Tomita (US 3,742,647).

The teachings of Kay have been discussed above.

Kay fails to specifically teach wherein an entrance gate is unlocked or locked in dependence on the result of the check.

Tomita teaches a method for granting admission to an event, including checking a ticket, wherein an entrance gate is unlocked or locked in dependence on the result of the check (see figures 1, 2, column 1 lines 13-23).

In view of Tomita's teachings, it would have been obvious to one of ordinary skill in the art at the time of the invention to include, with the system as taught by Kay, wherein an entrance gate is unlocked or locked in dependence on the result of the check, since this would allow for automatic ticket examining, thereby reducing the personnel requirements (see column 1, lines 13-23 of Tomita).



**Conclusion**

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Frank et al (US 2002/0023955 A1), Goodman, Jr (US 2002/0087395 A1), Berson (US 5,598,477), Kara (US 6,505,179 B1), Murphy et al (US 3,988,570), Searle et al (US 3,751,639), Nagae (JP 4-297979 A), Oki Electric Ind. Co. LTD (JP 2001-266187 A), and Huettinger (DE 198 23 907 A1) all teach systems and methods for granting admission to an event.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jared J. Fureman whose telephone number is (703) 305-0424. The examiner can normally be reached on 7:00 am - 4:30 PM M-T, and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (703) 305-3503. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

October 3, 2002

*Jared J. Fureman*  
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Art Unit 2876